



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS TX 75202-2733

APR 27 2011

**DEMAND FOR PAYMENT  
URGENT LEGAL MATTER - PROMPT REPLY NECESSARY  
CERTIFIED MAIL NUMBER: 7004 1160 0003 0353 8241  
RETURN RECEIPT REQUESTED**

Ms. Becky L. Jolin  
Thompson & Knight LLP  
98 San Jacinto Boulevard, Suite 1900  
Austin TX, 78701

**Re: Gerdau Ameristeel 2008 Scrap Fire Midlothian,  
Ellis County, Texas; Demand for Payment**

Dear Ms. Jolin:

The purpose of this letter is to inform Gerdau Ameristeel (hereinafter Gerdau Ameristeel) of Response Actions taken by the United States Environmental Protection Agency (EPA) at the Chaparral Steel Midlothian, LP, facility located in Midlothian, Ellis County, Texas (the Site), and to demand reimbursement of EPA costs incurred for these Response Actions. The EPA was authorized to take such actions by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq.

Under Section 106(a) of CERCLA, Potentially Responsible Parties (PRPs) may be required to perform or pay for cleanup actions to protect the public health, welfare, or the environment. The EPA believes Gerdau Ameristeel is a PRP because Chaparral Steel Midlothian, LP, a wholly-owned subsidiary of Gerdau Ameristeel, currently owns and occupies the Site. The law states that responsible parties are liable to the United States for cleanup costs incurred in response actions such as the actions conducted at this Site.

We look forward to Gerdau Ameristeel's cooperation in this matter. If you have any questions, please direct them to EPA Enforcement Officer Stephen Capuyan at (214) 665-2163.

Sincerely yours,

Wren Stenger,  
Associate Director  
Superfund Division

Enclosures (1)



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**ENCLOSURE 1**  
**DEMAND FOR PAYMENT**  
**GERDAU AMERISTEEL 2008 SCRAP FIRE RESPONSE**

**BACKGROUND**

The Texas Commission on Environmental Quality notified EPA of the incident on May 27, 2008. The EPA mobilized to the Site to begin monitoring firewater runoff. Three berms had been in place, of which EPA observed two. Part of this monitoring included testing split samples collected from fractions generated from shredding the burned scrap metal pile. For more details on the response visit: [http://epaossc.org/site/site\\_profile.aspx?site\\_id=4114](http://epaossc.org/site/site_profile.aspx?site_id=4114).

**DEMAND FOR PAYMENT**

In accordance with Section 104 of CERCLA, EPA has already taken certain response actions and incurred certain costs in response to conditions at the Site. The EPA is seeking to recover from Gerdau Ameristeel its response costs and all the interest authorized to be recovered under Section 107(a) of CERCLA. EPA hereby makes a demand for payment from Gerdau Ameristeel for \$74,652.00 plus all interest authorized to be recovered under Section 107(a). Pursuant to Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), interest shall accrue from the later of (i) the date that a specified amount is demanded in writing, or (ii) the date of the actual expenditure concerned.

Please make your payment for \$74,652.00 within 10 business days of the date Gerdau received this letter. The payment may be made by cashiers check payable to "EPA Hazardous Substance Superfund," and referencing the Gerdau Ameristeel Superfund Site and Site Spill ID Number – A6G9, or by wire transfer referencing the Gerdau Ameristeel Superfund Site and Site Spill ID Number – A6G9.

Send the check, with Gerdau Ameristeel's name and address, to:

EPA Hazardous Substance Superfund  
Gerdau Ameristeel, SSID A6:G9  
P.O. Box 360582M  
Pittsburgh, PA 15251  
ATTN: Collection Officer for Superfund

Wire transfers should be directed to the Federal Reserve Bank of New York

Federal Reserve Bank of New York  
ABA = 021030004  
Account = 68010727  
SWIFT address = FRNYUS33  
33 Liberty Street  
New York NY 10045

Field Tag 4200 of the Fedwire message should read "D 68010727 Environmental Protection Agency "

### **YOUR RESPONSE TO EPA**

A copy of Gerdau Ameristeel's check and/or transmittal letter should be sent simultaneously to the EPA contact, Mr. Stephen Capuyan, at the address indicated below. Gerdau Ameristeel's adherence to these procedures will ensure proper credit when payments are received.

Gerdau Ameristeel's written responses should be addressed to the following:

Stephen Capuyan, Enforcement Officer  
U.S. Environmental Protection Agency  
Region 6  
Superfund Enforcement Assessment Team (6SF-TE)  
1445 Ross Avenue  
Dallas, Texas 75202-2733  
Telephone: (214) 665-2163  
Telefacsimile: (214) 665-6660

If Gerdau Ameristeel or its attorney has any legal questions pertaining to this matter, please direct them to:

Anne Foster, Attorney  
U.S. Environmental Protection Agency  
Region 6  
Office of Regional Counsel (6RC-S)  
1445 Ross Avenue  
Dallas, Texas 75202-2733  
Telephone: (214) 665-2169  
Telefacsimile: (214) 665-6460

Also, please note that, because EPA has a potential claim against you, you must include EPA as a creditor if you file for bankruptcy. EPA reserves the right to file a proof of claim or an application for reimbursement of administrative expenses.